



State Ethics Commission of Georgia

ADVISORY OPINION NO. 1990-22

January 19, 1990

SUBJECT: CONTRIBUTIONS BY PUBLIC UTILITIES OTHER THAN MONETARY CONTRIBUTIONS

REAL OR HYPOTHETICAL SET OF CIRCUMSTANCES:

A rural electric cooperative proposes to authorize the use of real property which is owned by it, together with certain structures thereon (picnic pavilions, tables, barbecue grills, etc.) for the use by a candidate for a fundraiser. It does not intend to charge anything for the use of this facility. It further proposes to authorize the candidate to use its' office to prepare mailings, and utilize its' mail folding and sorting machines for his campaign literature. May it legally do any of the above?

ADVISORY OPINION

As provided in O.C.G.A. § 21-5-30(f) a person acting on behalf of a public utility corporation regulated by the Public Service Commission shall not make, directly or indirectly, any contribution to a political campaign.

Such statutory prohibition includes any non-monetary contributions which include but are not limited to "in-kind" contributions, use of personal or real property, and providing of products or services of any type to any political campaign, office holder, or candidate.

Employees of such public utilities are not prohibited from making contributions to political campaigns in their individual capacities; however, such an employee cannot, in any manner, be acting on behalf of the public utility corporation where employed, nor have been directed to do so by any officer, director or fellow employee of such public utility corporation.